

DANIEL G. BOGDEN  
United States Attorney  
ADAM M. FLAKE  
Assistant United States Attorney  
333 Las Vegas Blvd. South  
Suite 5000  
Las Vegas, Nevada 89101  
(702) 388-6336

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
STEPHEN LEE SELDON, M.D., and  
DEBORAH MARTINEZ SELDON,  
Defendants.

) No. 2:07-cr-135-KJD-LRL  
)  
)  
)  
) **GOVERNMENT'S MOTION**  
) **FOR RESETTING DEADLINES**  
) **TO PROVIDE AFFIDAVIT AND**  
) **RESPOND TO 28 U.S.C. § 2255 MOTIONS**  
)  
)  
)

The United States of America by and through its attorneys, DANIEL G. BOGDEN, United States Attorney, and ADAM FLAKE, Assistant United States Attorney, respectfully requests this Court enter an order resetting the deadlines for (a) Ronald Richards, Esq., to provide an affidavit addressing the allegations in the Seldons' 28 U.S.C. § 2255 motions, and (b) the Government to file its opposition to the Seldons' motions. Mr. Richards' affidavit was due on December 13, 2012, and the Government's deadline to respond to Defendant's 28 U.S.C. § 2255 motion was due 30 days after Mr. Richards provided the affidavit. CR 411. The Government requests that the Court grant an additional 38 days, until January 21, 2013, for Mr. Richards to provide the affidavit, and to grant the Government 30 days from the date Mr. Richards provides his affidavit to file its response.

This order is sought for the following reasons:

1. Defendants have filed 28 U.S.C. § 2255 motions to vacate, set aside or correct sentence by people in federal custody.
    2. Information from Defendant Stephen Seldon's former counsel, Ronald Richards, is

necessary in order to respond to Defendants' allegations.

3. Due to a miscommunication between the undersigned and Mr. Richards, Mr. Richards will not be able to provide his response until January 21, 2013.

4. On December 17, 2012, the undersigned asked Brenda Weksler, Esq., counsel for Defendant Stephen Seldon, and Lisa Rasmussen, Esq., counsel for Defendant Debbie Martinez Seldon if they opposed this request, and each of them stated that they had no opposition,

**WHEREFORE**, based on the foregoing, it is respectfully requested that this Court reset Mr. Richards' deadline providing the affidavit to January 21, 2013, and reset the Government's deadline for responding to the 28 U.S.C. § 2255 motions to 30 days after Mr. Richards provides the affidavit.<sup>1</sup>

**DATED** this 17th day of December, 2012.

Respectfully submitted,

DANIEL G. BOGDEN  
United States Attorney

/s/  
**ADAM FLAKE**  
Assistant United States Attorney

<sup>1</sup> Mr. Palazzo has already provided the Government with an affidavit.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

-00-

Based on the pending application of the Government, and good cause appearing,

**IT IS THEREFORE ORDERED** that the that Mr. Richards' deadline for providing the Government with an affidavit addressing the allegations in this case is reset until January 21, 2013, and the Government's deadline for responding to Defendant's 28 U.S.C. § 2255 motion is 30 days from the date Mr. Richards provides the affidavit.

DATED this 18th day of December, 2012.

  
Kera D. Johnson

UNITED STATES DISTRICT JUDGE